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01/17/01

Attorney's Docket No. 498-221 CON

PATENT

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09/764659
01/17/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX: PATENT APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

UTILITY PATENT APPLICATION TRANSMITTAL

Sir:

Transmitted herewith for filing is the patent application of:

First Named Applicant (or Applicants): SANSOUCY, Michael R.
32 Wright Road
Ayer, MA 01432

Title of Application: **SELF-OCCLUDING CATHETER**

1. Type of Application (37 C.F.R. 1.53(b))

This application is a(n):

☐ Original (nonprovisional) application.

☒ Continuing application:

☐ Divisional

☒ Continuation

☐ Continuation-in-Part (CIP)

of Serial No. 09/368,611, filed on 08/05/99

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed herein are being deposited with the United States Postal Service on this date, 1/17/01 in an envelope as "Express Mail to Addressee" Mailing Label Number EF110945918US to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

A.V. Garramone
Typed Name


Signature

2. **Enclosed Papers Required to Obtain Application Filing Date under 37 CFR 1.53(b)**

12 Pages of specification
6 Pages of claims
1 Page of Abstract
6 Sheets of drawings ☐ Formal ☒ Informal

3. **Oath or Declaration**

☐ Newly executed Oath or Declaration (original or copy) is enclosed.

☒ Copy of Oath or Declaration from prior application 09/368,611 (37 C.F.R. 1.63(d)).

☒ The entire disclosure of the prior application, from which a copy of the oath or Declaration is supplied, is considered as being a part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☒ With Power of Attorney ☐ Without Power of Attorney

4. **Additional Papers Enclosed**

☒ Return Receipt Postcard (specifically itemized) (M.P.E.P. § 503).

☒ Preliminary Amendment.

☒ Information Disclosure Statement (37 CFR 1.98).

☒ Form PTO-1449 ☐ Copies of IDS Citations

☐ Nucleotide and/or Amino Acid Sequence Listing computer-readable copy, paper copy, and statement verifying identity of computer-readable and paper copies.

☐ Certified Copy of Priority Document(s).

☐ Verified translation of non-English language application (37 C.F.R. 1.52(d)).

☐ Other: _____

[illegible]

- ☒ Copy of Assignment from prior application No. 09/368,611.

☒ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

Regular Application (37 CFR 1.16(a))	Basic Fee	\$710.00
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(Application Transmittal Page 3 of 5)

- ☐ Amendment canceling extra claims enclosed.
- ☐ Amendment deleting multiple-dependencies enclosed.

Total Filing Fee Calculation \$ 710.00

8. Small Entity Statement

- ☐ Verified Statement that this is a filing by a small entity under 37 CFR 1.9 and 1.27:
- ☐ is enclosed. ☐ will follow.
- ☐ Status as a small entity was claimed in prior application _____, from which benefit is being claimed for this application under:
- ☐ 35 U.S.C. 119(e),
- ☐ 35 U.S.C. 120,
- ☐ 35 U.S.C. 121,
- ☐ 35 U.S.C. 365(c),
- and which status as a small entity is still proper and desired.
- ☐ A copy of the verified statement in the prior application is enclosed.

Filing Fee Calculation (50% of Filing Fee calculated in Item 7 above) \$ _____

9. Fee Payment

- ☐ Not enclosed. No filing fee is to be paid at this time.
- ☒ Enclosed:

<input checked="" type="checkbox"/> Basic filing fee (Item 6 or 7 above)	\$ <u>710.00</u>
<input type="checkbox"/> Fee for recording Assignment (\$40.00 (37 CFR 1.21(h)))	\$ _____
<input type="checkbox"/> Processing and retention fee (\$130.00 (37 CFR 1.53(d) and 1.21(l)))	\$ _____
Total fees enclosed	\$ _____

10. Method of Payment of Fees

- ☒ Check in the amount of \$ 710.00 .

- ☐ Charge Deposit Account No. 08-2461 in the amount of \$ _____ .
A duplicate of this transmittal is enclosed.

11. Authorization to Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. 08-2461:

- ☒ 37 CFR 1.16(a), (f), or (g) (filing fees)
- ☒ 37 CFR 1.16(b), (c), and (d) (presentation of extra claims)
- ☒ 37 CFR 1.16(e) (surcharge for filing the basic fee and/or declaration at a date later than the filing date of the application)
- ☒ 37 CFR 1.17 (application processing fees)

A duplicate of this transmittal is enclosed.

12. Instructions as to Overpayment

- ☒ Credit Deposit Account 08-2461. ☐ Refund.

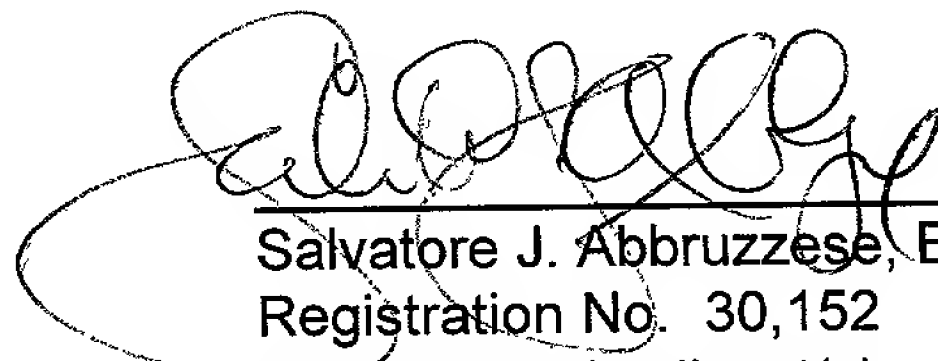
13. Correspondence Address

Please address all correspondence to:

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